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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,855	06/29/2000	Robert James Lockwood	95-424	7975
23164	7590	02/13/2004	EXAMINER	
LEON R TURKEVICH 2000 M STREET NW 7TH FLOOR WASHINGTON, DC 200363307			GAUTHIER, GERALD	
			ART UNIT	PAPER NUMBER
			2645	10

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/605,855	LOCKWOOD, ROBERT JAMES
	<b>Examiner</b>	<b>Art Unit</b>
	Gerald Gauthier	2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 12/01/2003 .

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-30 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-30 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)      4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s)      6)  Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 8-10, 12, 14-16, 23-25, 27 and 29-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foster et al. (US 5,940,490) in view of O'Malley et al. (US 4,996,707).

Regarding **claim 1**, Foster discloses a call processing to provide number portability (column 1, lines 10-18), (which reads on claimed "a method in a notification system for sending a notification message for a user configured for identifying the user based on a destination telephone number in a first format"), the method including:

obtaining for the notification message a destination telephone number (column 7, line 4 "Network Node Address number") in a second format (column 7, lines 5-10) [The database query is performed to translate the dial number in a new format];

converting the destination telephone number in the second format to the destination telephone number in the first format based on execution of a mapping rule (column 7, line 12 "the number has been mapped to include a switch node address") selected based on a match (column 7, line 5 "a database access") between the

- mapping rule and at least a portion of the destination telephone number (column 7, line 20 "line number 9867") in the second format (column 7, lines 11-27) [The dialed number has been converted into an appropriately formatted customer name address number and mapped to an appropriated network number]; and  
outputting the notification message having the destination telephone number having the first format (column 7, lines 46-57) [The switch receives and terminates the call where the call is terminated].

Foster discloses initiating any type of call but fails to suggest a notification message to a message server.

However, O'Malley teaches a notification system for sending a notification message to a message server (column 11, lines 8-68) [The system sends a notification message including the calling number and the called number to the subscriber].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a notification system for sending a notification message of O'Malley as a calling station in the invention of Foster.

The modification would have the capability of using a notification system for sending a notification message such has the system would allow the subscriber to retrieve its voice messages.

Regarding **claims 8 and 9**, Foster discloses wherein the converting step includes matching the mapping rule and the at least a portion of the destination telephone

number in the second format based on a prescribed pattern within the destination telephone number in the second format (column 6, lines 61-67).

Regarding **claim 10**, Foster discloses wherein the converting step further includes replacing the at least a portion of the destination telephone number in the second format with a replacement value specified in the matched mapping rule (column 7, lines 5-10).

Regarding **claim 12**, Foster discloses a call processing to provide number portability (column 1, lines 10-18), (which reads on claimed “notification system configured for sending a notification message for a user to a messaging server, the messaging server configured for identifying the user based on a destination telephone number in a first format”), the notification system including:

a message interface (12 on FIG. 1) configured for receiving the notification message and having the destination telephone number (column 7, line 4 “Network Node Address number”) in a second format (column 7, lines 5-10) [The database query is performed to translate the dial number in a new format];

a dial map (14 on FIG. 1) configured for converting the destination telephone number in the second format to the destination telephone number in the first format, the dial map executing a selected mapping rule (column 7, line 12 “the number has been mapped to include a switch node address”) based on a match (column 7, line 5 “a database access”) between the mapping rule and at least a portion of the destination

telephone number (column 7, line 20 "line number 9867") in the second format (column 7, lines 11-27) [The dialed number has been converted into an appropriately formatted customer name address number and mapped to an appropriated network number]; and an output interface (18 on FIG. 1) configured for outputting to the messaging server the notification message having the destination telephone number in the first format (column 7, lines 46-57) [The switch receives and terminates the call where the call is terminated].

Foster discloses initiating any type of call but fails to suggest a notification message to a message server.

However, O'Malley teaches a notification system for sending a notification message to a message server (column 11, lines 8-68) [The system sends a notification message including the calling number and the called number to the subscriber].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a notification system for sending a notification message of O'Malley as a calling station in the invention of Foster.

The modification would have the capability of using a notification system for sending a notification message such has the system would allow the subscriber to retrieve its voice messages.

Regarding **claims 14, 15 and 29-30**, Foster discloses wherein the dial map is configured for storing a plurality of the mapping rules, each mapping rule specifying a corresponding first expression, and a corresponding to second expression having the

first format, the dial map selecting the selected mapping rule based on a match between the destination telephone number having the second format and the corresponding first expression (column 8, lines 56-67).

Regarding **claim 16**, Foster discloses a call processing to provide number portability (column 1, lines 10-18), (which reads on claimed “a computer readable medium (column 6, lines 23-28) having stored thereon sequences of instructions for sending a notification message for a user configured for identifying the user based on a destination telephone number in a first format”), the sequences of instructions including instructions for performing the steps of:

obtaining for the notification message a telephone number (column 7, line 4 “Network Node Address number”) in a second format (column 7, lines 5-10) [The database query is performed to translate the dial number in a new format];

converting the destination telephone number in the second format to the telephone number in the first format based on execution of a mapping rule (column 7, line 12 “the number has been mapped to include a switch node address”) selected based on a match (column 7, line 5 “a database access”) between the mapping rule and at least a portion of the telephone number (column 7, line 20 “line number 9867”) in the second format (column 4, lines 24-42) [The switch determines a pattern match of the telephone number and performs manipulations of the digits to be transmitted in an outgoing message]; and

outputting the notification message having the destination telephone number having the first format (column 7, lines 46-57) [The switch receives and terminates the call where the call is terminated].

Foster discloses initiating any type of call but fails to suggest a notification message to a message server.

However, O'Malley teaches a notification system for sending a notification message to a message server (column 11, lines 8-68) [The system sends a notification message including the calling number and the called number to the subscriber].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a notification system for sending a notification message of O'Malley as a calling station in the invention of Foster.

The modification would have the capability of using a notification system for sending a notification message such has the system would allow the subscriber to retrieve its voice messages.

Regarding **claims 23 and 24**, Foster discloses wherein the converting step includes matching the mapping rule and the at least a portion of the destination telephone number in the second format based on a prescribed pattern within the destination telephone number in the second format (column 7, lines 11-27).

Regarding **claim 25**, Foster discloses wherein the converting step further includes replacing the at least a portion of the destination telephone number in the

second format with a replacement value specified in the matched mapping rule (column 7, lines 11-27).

Regarding **claim 27**, Foster discloses a call processing to provide number portability (column 1, lines 10-18), (which reads on claimed “notification system configured for sending a notification message for a user to a messaging server, the messaging server configured for identifying the user based on a destination telephone number in a first format”), the notification system including:

    a message interface (12 on FIG. 1) configured for receiving the notification message and having the destination telephone number (column 7, line 4 “Network Node Address number”) in a second format (column 7, lines 5-10) [The database query is performed to translate the dial number in a new format];

    means for converting the destination telephone number in the second format to the destination telephone number in the first format, the dial map executing a selected mapping rule (column 7, line 12 “the number has been mapped to include a switch node address”) based on a match (column 7, line 5 “a database access”) between the mapping rule and at least a portion of the destination telephone number (column 7, line 20 “line number 9867”) in the second format (column 7, lines 11-27) [The dialed number has been converted into an appropriately formatted customer name address number and mapped to an appropriated network number]; and

    an output interface (18 on FIG. 1) configured for outputting to the messaging server the notification message having the destination telephone number in the first

format (column 7, lines 46-57) [The switch receives and terminates the call where the call is terminated].

Foster discloses initiating any type of call but fails to suggest a notification message to a message server.

However, O'Malley teaches a notification system for sending a notification message to a message server (column 11, lines 8-68) [The system sends a notification message including the calling number and the called number to the subscriber].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a notification system for sending a notification message of O'Malley as a calling station in the invention of Foster.

The modification would have the capability of using a notification system for sending a notification message such has the system would allow the subscriber to retrieve its voice messages.

3. **Claims 2, 13, 17-18 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foster in view of O'Malley and in further view of Lorello et al. (US 6,208,870).

Regarding **claims 2, 13 and 28**, Foster and O'Malley as applied to claims 1, 12 and 27 differ from claims 2, 13 and 28 in that it fails to disclose a Short Message Peer to Peer (SMPP) protocol.

However, Lorello teaches wherein the outputting step includes outputting the notification message to the messaging server according to Short Message Peer to Peer (SMPP) protocol (column 10, lines 53-58).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a Short Message Peer to Peer (SMPP) protocol in the invention of Foster and O'Malley.

The modification would have the capability of a Short Message Peer to Peer (SMPP) protocol such has the system would allow the subscriber to receive short messages.

Regarding **claim 17**, Lorello teaches wherein the outputting step includes outputting the notification message to the messaging server according to Short Message Peer to Peer (SMPP) protocol (column 10, lines 53-58).

Regarding **claim 18**, Lorello teaches wherein the messaging server is a Short Message Service Center configured for sending the notification message to a wireless telephone corresponding to the destination telephone number having the first format (column 1, lines 58-61).

4. **Claims 3-7 and 19-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foster in view of O'Malley, in view Lorello and in further view of Abu-Shukhaidem et al. (US 6,324,272).

Regarding **claim 3**, Foster, O'Malley and Lorello as applied to claim 2 differ from claim 3 in that it fails to disclose a wireless telephone.

However, Abu-Shukhaidem teaches wherein the messaging server is a Short Message Service Center configured for sending the notification message to a wireless telephone corresponding to the destination telephone number having the first format (column 3 lines 34-48).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a wireless telephone in the invention of Foster, O'Malley and Lorello.

The modification would have the capability of a wireless telephone such has the system would allow the subscriber to receive short messages.

Regarding **claims 4 and 19**, Abu-Shukhaidem teaches wherein the first format is an international telephone format, and the second format is a national telephone format (column 2, lines 36-37).

Regarding **claims 5, 6, 20 and 21**, Foster discloses wherein the converting step includes matching the mapping rule and the at least a portion of the destination

telephone number in the second format based on a prescribed pattern within the destination telephone number in the second format (column 7, lines 11-27).

Regarding **claims 7 and 22**, Foster discloses wherein the converting step further includes replacing the at least a portion of the destination telephone number in the second format with a replacement value specified in the matched mapping rule (column 7, lines 11-27).

5. **Claims 11 and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foster in view of O'Malley and in further view of Abu-Shukhaidem.

Regarding **claims 11 and 26**, Abu-Shukhaidem teaches wherein the first format is an international telephone format, and the second format is a national telephone format (column 2, lines 27-37).

#### ***Response to Arguments***

6. Applicant's arguments with respect to **claims 1-30** have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4800.



g.g.  
February 8, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
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